

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Appln. Ser. No.:	Filed:	Inventor(s):	Atty Dkt:
09/576,597	22 May 2000	J.J. Voorhees	1718-009A
Title: Compositions and Methods for Use Against Acne-Induced Inflammation and Dermal Matrix-Degrading Enzymes			
Examiner: V. Kim			Art Unit: 1614

Asst. Comm'r for Patents
Washington, D.C. 20231-0001

SECOND DECLARATION UNDER RULE 1.132 BY DR. SEWON KANG

Dear Sir:

1. My name is Sewon Kang. I am a named co-inventor and have previously submitted a declaration under § 1.132 in this patent application.
2. I have reviewed the Lanzendörfer *et al.* patent ("the reference") cited by the Examiner. As the Director of the Dermatopharmacology Unit at the Department of Dermatology at the University of Michigan Medical Center, it is my professional medical opinion that this reference does not provide a dermatologist of ordinary skill, or even extraordinary skill, with sufficient information to use the compositions in a clinical setting.
3. The reference alleges that the compositions are useful for "hyperreactive" and "hypoactive" skin and lists exemplary conditions that have no relation to each other. For example, there is no known common relationship among such skin conditions as eczema, acne, viral infections, bacterial infections, psoriasis,

#9
JLL
3/8/02

rosacea, photodermatosis, and ulcers, other than the involvement of human skin.

4. Even reviewing only the "acne" conditions mentioned in the reference, it is clear that acne due to cosmetics or chemicals or mechanical injury is completely unrelated to such conditions as acne vulgaris, and would be much better treated by avoiding the cosmetic, chemical, or mechanical source. Because the reference provides no teaching or suggestion for the mechanism of action, a dermatologist of ordinary skill would not be inclined to use the composition for any skin condition. In particular, a skilled dermatologist should be reticent to place a compound on inflamed acne skin instead of first avoiding the suspected source of the problem.
5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Sewon Kang


dated